

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

*West Boca Medical Center, Inc. v.
AmerisourceBergen Drug Corp., et al.,
Case No. 181-op-45330*

MDL No. 2804

Case No. 1:17-MD-2804

Hon. Dan A. Polster

**MISSISSIPPI HOSPITAL ASSOCIATION’S (“MHA”) MOTION FOR LEAVE TO FILE
AMICUS CURIEAE BRIEF IN SUPPORT OF PLAINTIFF WEST BOCA MEDICAL
CENTER, INC.’S OPPOSITION TO DEFENDANTS’ MOTIONS TO DISMISS**

The Mississippi Hospital Association (“MHA”) respectfully moves this Court for leave to file an *amicus curiae* brief in support of Plaintiff West Boca Medical Center, Inc.’s Omnibus Memorandum in Opposition (Dkt. No. 806) to (1) Memorandum of Law in Support of the Manufacturer Defendants’ Joint Motion to Dismiss Plaintiff’s Complaint (Dkt. No. 691-1); Memorandum of Law in Support of Distributors’ Motion to Dismiss (Dkt. No. 684-1); and (3) Memorandum of Law in Support of Motion to Dismiss by Defendants CVS Health Corporation, Walgreens Boots Alliance, Inc., and Walmart Inc. (Dkt. No. 686-1).

MHA is a trade association of hospitals and health care providers in the State of Mississippi that are dedicated to effectively serving the health care needs of Mississippi. MHA has a significant interest in this matter because its members have sustained damages that are directly related to the negligent and deceptive acts of Defendants that have caused this crisis. MHA can speak to the impact of the crisis on MHA’s hospital members, which are similarly situated to Plaintiff West Boca Medical Center (“West Boca”), and thereby provide the Court with additional perspective on hospital claims in this litigation. Through its *amicus curiae* brief,

a proposed copy of which is attached as Exhibit 1 hereto, MHA seeks to supplement and support the arguments of West Boca with particular focus on Defendants' arguments regarding the ability of hospitals to prove proximate cause and damages.

For these reasons, MHA requests that the Court grant MHA's motion and enter the proposed Order attached as Exhibit 2.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2018, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which provided electronic service upon all counsel of record.

/s/ T. Roe Frazer II

T. Roe Frazer II